APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,107	12/21/2000	Lalitha Agnihotri	US 000390	1484

7590　　　12/29/2004	EXAMINER
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ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 July 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This action is in response to the amendment dated 12 July 2004 in application

09/747,107.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 7-9, 13-15, 19-21, 25-27, 29-31, and 34 are rejected under 35

U.S.C. 102(e) as being anticipated by Ahmad et al. (US006263507B1).

Regarding claim 1, Ahmad et al. (Ahmad) discloses a control device and system

controller or "multimedia summary generator" for use in electronic devices such as

televisions, a computer display monitor, or "video display system" (See Fig. 1; column 1

lines 10-20 and column 2 lines 60-67). The control unit and system controller is able to

summarize multiple television news programs or "video programs" within a graphical

user interface (GUI) or "multimedia summary" (See Fig. 2A and 2B; column 4 lines 40-

60). The control device and system controller extracts video images or "audio-video

segments" (See column 16 line 55 – column 17 line 10) and text from a transcript (See

column 33 line 60 – column 34 line 10) and combines the extracted pieces to provide a summary of the television news broadcast within the GUI or "multimedia summary of said video program", wherein the summary criteria and GUI serve as the "audio-visual template" (See Fig. 2A, 2B, 3, and 4). Furthermore, Ahmad discloses the system can categorize the news programs and news stories or "identifying a domain of said video program" and selecting the news programs and stories video images and text "according to said domain" to be displayed to the user (See Fig. 2A, 201; Fig. 2B, 211 and 215; column 3 lines 26-33 and column 15 lines 8-42).

Regarding claims 2 and 3, the control device and system controller extracts video images that relates to the news stories or "topics" of the news program (See column 16 line 55 – column 17 line 10), where inherently the news stories or "topics" are selected "according to the domain of said video program" when defined by the system and requested by the user (See Fig. 2B, 215: i.e. world news, national news, local news, etc.). The news programs have different stories, which are identified within the transcript by markers or "topic cue", wherein the system locates all the markers within the data or "determining a set of topic cues" (See column 23 lines 30-50). Each of the video images represents a news story within the GUI (See Fig. 2A and 2B), wherein the news story was located based on the markers or "topic cues". Furthermore, the control device and system controller executes this process, where inherently it is capable of executing computer instructions within a memory coupled thereto.

Claim 7 contains the limitations of claim 1 (wherein the control device and system controller are embodied along with a television, a computer display monitor, or "video display system") and is analyzed as previously discussed with respect to that claim.

Claims 8 and 9 contains the limitations of claims 2, 3, and 7 and is analyzed as previously discussed with respect to those claims.

Claim 13 contains the limitations of claim 1 and is analyzed as previously discussed with respect to that claim.

Claims 14 and 15 contains the limitations of claims 2, 3, and 13 and is analyzed as previously discussed with respect to those claims.

Claim 19 contains the limitations of claim 1 and is analyzed as previously discussed with respect to that claim. Furthermore, Ahmad discloses that the process can be executed via instructions within a computer readable medium encoded with one or more computer programs (See column 5 lines 5-10).

Claims 20 and 21 contains the limitations of claims 2, 3, and 19 and is analyzed as previously discussed with respect to those claims.

Regarding claim 25, the summary within the GUI has at least one video images of the news program, wherein the video images "relates to an identified domain of said video program" as discussed in claim 1 above (See Fig. 2A and 2B).

Regarding claim 26, the summary within the GUI has at least one text portion of transcript (See Fig. 2A and 2B; column 16 line 55 – column 17 line 10; column 33 line 60 – column 34 line 10).

Claim 27 contains the limitations of claims 2, 3, and 25 (wherein the GUI displays the summary information, including the video images representing each news story) and is analyzed as previously discussed with respect to those claims.

Regarding claim 29, the GUI displays text summaries of the news program or "text from said video program", pictorial representations of the news program or "single frame", and video images or "video segment" (See Fig. 2A and 2B; column 16 line 55 – column 17 line 10). Furthermore, Ahmad discloses that the system is also capable of presenting information using audiovisual display or "audio-visual segment" (See column 2 line 60 – column 3 line 15).

Claim 30 contains the limitations of claims 2, 3, and 27 and is analyzed as previously discussed with respect to those claims. Furthermore, Ahmad discloses that the GUI has multiple video images or "a plurality of audio-visual segments representing each news story or "topic" (See Fig. 2b; column 16 line 64 – column 17 line 3).

Regarding claim 31, Ahmad discloses an information map region where the user can easily move freely among different news stories of the news program or "topic entry point". Each row allows the user to jump from one news story to another and would display the associated video images and text related to that story (See Fig. 2A and 2B; column 16 lines 3-55).

Claim 34 contains the limitations of claims 30 and 31 and is analyzed as previously discussed with respect to those claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 4-6, 10-12, 16-18, 22-24, 28, 32, 33, and 35 are rejected under 35 U.S.C.

103(a) as being unpatentable over Ahmad et al. (US006263507B1) in view of Liou et al.

(US006580437B1).

Claim 4 contains the limitations of claims 1-3 and is analyzed as previously

discussed with respect to those claims. However, Ahmad does not disclose a feature

where the system can determine and identify subtopic cues and select a video image

related to the subtopics to add to the GUI summary.

Liou et al. (Liou) discloses a system for organizing videos based on closed-

caption information. The system constructs a video table of contents. The system builds

a tree defining the different stories or "topic cues" and the different speakers or

"subtopic cues" associated with the stories based on the symbols or markers within the

closed caption data or "determining a set of subtopic cues" and "identifying at least one

subtopic cue". The system breaks the video up according to the closed-caption data and

the tree is made up of video shots and text that are associated with each story and

speaker (See Fig. 5, 6, and 9; column 1 lines 20-30, column 2 lines 40-65, column 6

lines 35-55, column 7 lines 30-60). Therefore, it would have been obvious to one with

ordinary skill in the art at the time the invention was made to modify the control device

and system controller disclosed by Ahmad to determine and identify speakers or

"subtopic cues" within a news story and select a video image or shot related to the

speaker to add to the GUI summary, as taught by Liou, in order to provide a more

informative and detailed summary of the news program for the user.

Regarding claim 5, the control device and system controller performs all the

functions of the "domain identification application", "topic cue identification application",

"subtopic cue identification application", and "audio-visual template identification

application" as discussed in claims 1-4.

Regarding claim 6, Ahmad discloses an information map region where the user

can easily move freely among different news stories of the news program or "entry point

for each topic". Each row allows the user to jump from one news story to another and

would display the associated video images and text related to that story (See Ahmad

Fig. 2A and 2B; column 16 lines 3-55). Furthermore, Liou discloses that the organized

tree of the video table of contents allows users to jump directly to different speakers or

"entry point for each subtopic" (See Liou Fig. 8 and 9).

Claim 10 contains the limitations of claims 4 and 9 and is analyzed as previously

discussed with respect to those claims.

Claim 11 contains the limitations of claims 5 and 9 and is analyzed as previously

discussed with respect to those claims.

Claim 12 contains the limitations of claims 6 and 10 and is analyzed as

previously discussed with respect to those claims.

Claim 16 contains the limitations of claims 4 and 15 and is analyzed as previously discussed with respect to those claims.

Claim 17 contains the limitations of claims 5 and 15 and is analyzed as previously discussed with respect to those claims.

Claim 18 contains the limitations of claims 6 and 16 and is analyzed as previously discussed with respect to those claims.

Claim 22 contains the limitations of claims 4 and 21 and is analyzed as previously discussed with respect to those claims.

Claim 23 contains the limitations of claims 5 and 21 and is analyzed as previously discussed with respect to those claims.

Claim 24 contains the limitations of claims 6 and 22 and is analyzed as previously discussed with respect to those claims.

Claim 28 contains the limitations of claims 4 and 27 (wherein each speaker has one video shot related to the speaker (See Liou Fig. 8 and 9)) and is analyzed as previously discussed with respect to those claims.

Claim 32 contains the limitations of claims 4 and 30 and is analyzed as previously discussed with respect to those claims. Furthermore, Official Notice is taken that it is well known to provide more than one video images or "plurality of audio-visual segments" for each speaker of a program. Therefore, it would have been obvious to modify the control device and system controller disclosed by Ahmad in view of Liou to provide more than one video images in order to provide a more detailed visual summary of where the speaker is in association with the story.

Claim 33 contains the limitations of claims 6, 31, and 32 and is analyzed as previously discussed with respect to those claims.

Claim 35 contains the limitations of claims 32 and 33 and is analyzed as previously discussed with respect to those claims.

Claims 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad et al. (US006263507B1) in view of Name-It Feature Article and Hoarty et al. (US005093718A).

Claim 36 contains the limitations of claim 13 and is analyzed as previously discussed with respect to that claim. However, Ahmad does not disclose a feature where it obtains an image of a face of a person, verifies the identity, and adds the image of the face to the GUI summary.

The article Name-It discloses a method for matching faces in a news video with their name or "identity". The method extracts the face of a person from a video and the name of the person from the transcript of the video. Then it compares the collected information to the face similarity information to confirm that the name is matched to the correct face (See page 22 column 1 and 2, page 25 column 1 and 2). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the control device and system controller disclosed by Ahmad to extract an image of a face of a person and confirm the persons name, as taught by the article Name-It, in order to provide a means of correctly identifying the people on the video so that the user is aware of who is presenting the story.

Hoarty et al. discloses an interactive home information system where users can obtain information about TV listing for the month. The system provides images of actors or scenes from movies and TV shows within the information or "summary" (See column 7 lines 20-30). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the control device and system controller disclosed by Ahmad to add the image of the face to the GUI summary, as taught by Hoarty et al., in order to provide a more detailed summary of the story and who is presenting the story in one convenient screen.

Regarding claim 37, the system confirms the identity of the person by using the face similarity information of the person and the name from the transcript as discussed in claim 36.

Claim 38 contains the limitations of claims 36 and 37 and is analyzed as previously discussed with respect to those claims. Furthermore, Official Notice is taken that it is well known to use voice recognition to identify a person. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the control device and system controller disclosed by Ahmad in view of Name-It to identify a person using voice recognition in order to provide a more accurate means of correctly identifying the person.

Response to Arguments

4.   Applicant's arguments filed 12 July 2004 have been fully considered but they are not persuasive.

Applicant argues with respect to claims 1, 7, 13, 19, 25, and 34 that Ahmad does

not teach or suggest identifying the domain of the program and selecting portions of the

transcript and audio-video segments of the program according to its domain. However,

such limitations are disclosed by Ahmad as discussed in the claim rejection above.

It is noted that that the previous Office Action contained Official Notice

statements which have not been traversed by the applicant. Therefore, these

statements have therefore been taken as admissions of prior art as dictated by MPEP §

2144.03.

Applicant is reminded that although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims. See *In re*

Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37
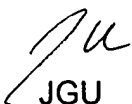
CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joseph G Ustaris whose telephone number is 703-305-

0377. The examiner can normally be reached on M-F 7:30-5PM; Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew I Faile can be reached on 703-305-4380. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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JGU
December 13, 2004

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